

IN THE CLAIMS

Please amend the claims as indicated below:

1. (CANCELLED)
2. (CANCELLED)
3. (CANCELLED)
4. (CANCELLED)
5. (CANCELLED)
6. (CANCELLED)
7. (CANCELLED)

8. (CURRENTLY AMENDED) A method of forming a stable particle of from 0.05 to 10 millimeters in diameter comprising a mixture of an organic material that is an oleophilic liquid at 75°C and a gelation agent, the proportions of the gelation agent to organic material being between 0.05% to 70% by weight gelation agent to organic material, the method comprising:

- a) mixing together at least the organic material and the gelation agent,
- b) providing the mixture at a temperature wherein the mixture is a fluid or liquid;
- c) forming fluid particles of the fluid material by spraying the fluid material through a spray head; and
- d) cooling the fluid particles to a temperature so that the fluid or liquid becomes a solid or gel particle.

9. (CURRENTLY AMENDED) ~~The method of claim 8~~ A method of forming a stable particle of from 0.05 to 10 millimeters in diameter comprising a mixture of an organic material that is an oleophilic liquid at 75°C and a gelation agent, the proportions of the gelation agent to organic material being between 0.05% to 70% by weight gelation agent to organic material, the method comprising:

- a) mixing together at least the organic material and the gelation agent,
- b) providing the mixture at a temperature wherein the mixture is a fluid or liquid;

- c) forming liquid particles of the fluid material; and
- d) cooling the liquid particles to a temperature so that the fluid or liquid becomes a solid or gel particle,

wherein cooling of the liquid particles in step d) causes the gelation agent to form distinct particles within the particles formed of the fluid material.

10. (CURRENTLY AMENDED) ~~The method of claim 8~~ A method of forming a stable particle of from 0.05 to 10 millimeters in diameter comprising a mixture of an organic material that is an oleophilic liquid at 75°C and a gelation agent, the proportions of the gelation agent to organic material being between 0.05% to 70% by weight gelation agent to organic material, the method comprising:

- a) mixing together at least the organic material and the gelation agent,
- b) providing the mixture at a temperature wherein the mixture is a fluid or liquid;

- c) forming liquid particles of the fluid material; and
- d) cooling the liquid particles to a temperature so that the fluid or liquid becomes a solid or gel particle,

wherein the cooling of the liquid particles causes the gelation agent to form distinct elongate elements within the particles formed of the fluid material.

11. (CURRENTLY AMENDED) ~~The method of claim 8~~ A method of forming a stable particle of from 0.05 to 10 millimeters in diameter comprising a mixture of an organic material that is an oleophilic liquid at 75°C and a gelation agent, the proportions of the gelation agent to organic material being between 0.05% to 70% by weight gelation agent to organic material, the method comprising:

- a) mixing together at least the organic material and the gelation agent,
- b) providing the mixture at a temperature wherein the mixture is a fluid or liquid;

- c) forming liquid particles of the fluid material; and
- d) cooling the liquid particles to a temperature so that the fluid or liquid becomes a solid or gel particle,

wherein the cooling of the liquid particles causes the gelation agent to form a network of solid gelation agent within the particles formed of the fluid material.

12. (CURRENTLY AMENDED) ~~The method of claim 8~~ A method of forming a stable particle of from 0.05 to 10 millimeters in diameter comprising a mixture of an organic material that is an oleophilic liquid at 75°C and a gelation agent, the proportions of the gelation agent to organic material being between 0.05% to 70% by weight gelation agent to organic material, the method comprising:

- a) mixing together at least the organic material and the gelation agent,
- b) providing the mixture at a temperature wherein the mixture is a fluid or liquid;
- c) forming liquid particles of the fluid material; and
- d) cooling the liquid particles to a temperature so that the fluid or liquid becomes a solid or gel particle.

wherein the cooling of the liquid particles or fluid mixture causes the gelation agent to form a gradation of concentration of the gelation agent within the particles, with higher concentration of the gelation agent at the surface of the particles than at the core of the particles.

13. (CURRENTLY AMENDED) The process of claim 8 wherein the liquid or fluid mixture is maintained at a temperature at least 5°C above the solidification temperature of the mixture as a fluid or liquid material and cooling is done to a temperature that is at least 5°C below the solidification temperature of the mixture to form the solid stable particles beads.

14. (ORIGINAL) The method of claim 8 wherein the gelation agent comprises an organic gelation agent.

15. (ORIGINAL) The method of claim 9 wherein the organic material comprises an oil that is liquid at 25°C.

16. (ORIGINAL) The method of claim 10 wherein the organic material comprises an oil that is liquid at 25°C.

17. (ORIGINAL) The method of claim 11 wherein the organic material comprises an oil that is liquid at 25°C.

18. (ORIGINAL) The method of claim 12 wherein the organic material comprises an oil that is liquid at 25°C.

19. (ORIGINAL) The method of claim 8 wherein the solid or gel particles formed in step d) is added to an aqueous or non-aqueous carrier comprising 0.1-50% by weight of those particles.

20. (ORIGINAL) The method of claim 8 wherein the particles formed in step d) have an average diameter of between 0.05 and 2 millimeters and the proportions of the gelation agent to oleophilic liquid being between 0.5% to 30% by weight gelation agent to oleophilic liquid.

21. (CURRENTLY AMENDED) The method of claim 9 wherein the stable particle comprises a bead and the bead has an average diameter of between 0.01 and 2 millimeters and the proportions of the gelation agent to organic material being between 0.5% to 30% by weight gelation agent to organic material.

22. (CURRENTLY AMENDED) The method of claim 9 wherein cooling the droplets particles of fluid material is to a temperature at least 10°C below the T_{gel} of the mixture to form solid the stable particles beads.

23. (CURRENTLY AMENDED) The method of claim 10 wherein cooling the ~~droplets~~ particles of fluid material is to a temperature at least 10°C below the T_{gel} of the mixture to form the solid stable particles ~~beads~~.

SUMMARY OF THE OFFICE ACTION

Claims 9-12, 15-18, and 21-23 were objected to and indicated as allowable if placed into independent form.

Claims 4-6, 13, 22 and 23 were rejected under 35 USC 112, second paragraph as containing indefinite terms.

Claims 1-8, 13, 14, 19 and 20 have been rejected under 35 USC 102(e) as anticipated by Inoulalen et al. (U.S. Patent No. 6,572,892).

Claims 22 and 23 were indicated as allowable if rewritten to overcome the rejections under 35 USC 112, second paragraph.

RESPONSE TO THE REJECTIONS

Claims 9-12, 15-18, and 21-23 were objected to and indicated as allowable if placed into independent form.

These claims have been amended to place them, or the claims from which they depend into independent form. The claims are in condition for allowance.

Claims 4-6, 13, 22 and 23 were rejected under 35 USC 112, second paragraph as containing indefinite terms.

The objectionable terminology has been corrected by amendment. These issues are now moot.

Claims 1-8, 13, 14, 19 and 20 have been rejected under 35 USC 102(e) as anticipated by Inoulalen et al. (U.S. Patent No. 6,572,892).

Claims 1-7 and claims dependent therefrom have been cancelled, so the rejection is moot with respect to claims 1-7.

The rejection is traversed with respect to claims 8, 13, 14, 19 and 20. All claims are dependent from claim 8. Claim 8 has been amended to recite that the fluid particles are formed by spraying through a spray head. This is not taught by Inoulalen et al. and is not anticipated.

Claims 22 and 23 were indicated as allowable if rewritten to overcome the rejections under 35 USC 112, second paragraph.

The claims have been rewritten to overcome the issues and are in condition for allowance.